

SENATE JOINT RESOLUTION 88
By Haynes

A RESOLUTION to continue the special joint committee to study the deinstitutionalization of mentally retarded persons and the downsizing of the populations of the state's developmental centers.

WHEREAS, Senate Joint Resolution No. 451 of the Ninety-Ninth General Assembly created a special joint committee to study the deinstitutionalization of mentally retarded persons and the downsizing of populations of the state's developmental centers; and

WHEREAS, recent events, such as the United States Department of Justice's (DOJ) investigation of the state's four developmental centers and the resulting lawsuit against Arlington Developmental Center under the provisions of the Civil Rights of Institutionalized Persons Act (CRIPA) have spurred the Department of Mental Health and Mental Retardation (DMHMR) to rapidly downsize the populations of the state's four developmental centers: Arlington, Clover Bottom, Green Valley and Nat T. Winston; and

WHEREAS; the rapidly evolving administrative environment for the delivery of services to the mentally retarded, embracing not only deinstitutionalization, but the imminent absorption of DMHMR into a new Department of Health, and the new role of the state as overseer of private initiatives rather than a provider of direct services require the serious consideration of the General Assembly to ensure the safety of mentally retarded persons and the protection of their rights as well as those of their parents and guardians, and

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WHEREAS, due to the short time allotted for its work, the volatility of the administrative milieu surrounding the delivery of services, and the complexity of the attendant issues identified thus far, it is imperative that the mandate of the committee be continued; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE-HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the special joint committee created by Senate Joint Resolution No. 451 of the Ninety-Ninth General Assembly to study the deinstitutionalization of mentally retarded persons and the downsizing of the populations of the state's developmental centers is hereby continued until January 6, 1998.

BE IT FURTHER RESOLVED, That membership of the special joint committee shall remain as constituted by SJR No. 451; provided that the legislative members continue to serve as duly elected members of the General Assembly. Vacancies on the committee shall be filled in accordance with the original appointing authority pursuant to Senate Joint Resolution No. 452 of the Ninety-Ninth General Assembly.

BE IT FURTHER RESOLVED, That the special joint committee shall continue to study and make recommendations relative to the issues surrounding the deinstitutionalization of mentally retarded persons and the downsizing of the populations of the state's developmental centers as described herein, in addition to such other related issues that the committee may consider appropriate.

BE IT FURTHER RESOLVED, That all appropriate agencies of state government shall provide assistance to the special joint committee, upon request of the chair.

BE IT FURTHER RESOLVED, That the special joint committee shall timely report its findings and recommendations, including any proposed legislation, to the One-Hundredth General Assembly no later than January 6, 1998, at which time the committee shall cease to exist.